

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MICHAEL HYDE

Plaintiff,

v.

STATE OF MASSACHUSETTS ET AL.,)

Defendants.

Civil Action No. 04-12429-RWZ

PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO SUPPRESS

The plaintiff respectfully moves this Honorable Court for a hearing on this motion supported in this memorandum. The plaintiff asserts that the officer's testimony and the police report radically differ from the actual events that day. About the only issues in agreement was the gun being drawn toward the defendant along with being placed in handcuffs (never being read his rights), just to name a few. Just about everything else the officer states is in conflict. This can be verified with the submission of the alleged tape recording of the encounter that is protected by the 1<sup>st</sup> Amendment and USC Title 17 just to name a few federal provisions. A motion for discovery is also accompanied in this letter as well.

Also the plaintiff asserts that the defendants (prosecution) withheld their memorandum in the state criminal complaint. In this memorandum they presented to the state judge, they used permission to record a conversation as a staple to induce the judge

to commit to their vision as well as other erroneous statements made in their brief. A motion for discovery is also accompanied in this letter as well on this issue also. For these reasons, the plaintiff respectfully moves this court for a hearing to suppress the officers police report, the police officer's testimony, and the state judges decision until the alleged recording of the incident and prosecutions memorandum are made available at discovery.

Respectfully submitted,

Plaintiff

Michael J Hyde

148 Brickel Rd

Stoughton, Ma. 02072

617-697-8893